

**UNITED STATES DISTRICT COURT
DISTRICT OF NEVADA**

BRIT F. AUGBORNE, III,
Plaintiff(s),
v.
TIMOTHY FILSON, et al.,
Defendant(s)

2:19-cv-00447-JAD-VCF
ORDER

Before the Court is the *Brit F. Augborne, III v. Timothy Filson, et al.*, case number 2:19-cv-00447-JAD-VCF. This matter was referred to the undersigned to set a settlement conference on August 8, 2022. (ECF No. 33). On August 8, 2022, the court scheduled the settlement conference for 10:00 AM, October 17, 2022. (ECF No. 34). The parties were ordered to email chambers with an email address for the video settlement conference by noon, October 11, 2022, and to email or deliver confidential statement to chambers by 4:00 PM, October 11, 2022. The court has received a confidential statement and email addresses from defendant. No statement or email address has been received from Plaintiff Augborne.

Plaintiff had filed a notice of change of address on April 14, 2022, giving an address of 2920 W. 141 Place, Apt. 2, Gardena, CA, 90249. (ECF No. 32). The order setting the settlement conference was mailed to Plaintiff's address listed on the docket in this case. On August 16, 2022, Defendant filed a notice regarding plaintiff's mailing address, stating that Plaintiff may have more than 1 mailing address since plaintiff used another address in his other case.

Under LR IA 3-1, an attorney or pro se party must immediately file with the court written notification of any change of mailing address, email address, telephone number, or facsimile number. The

1 notification must include proof of service on each opposing party or the party's attorney. Failure to comply
2 with this rule may result in the dismissal of the action, entry of default judgment, or other sanctions as
3 deemed appropriate by the court. Plaintiff has not filed a new change of address in this case.

4 Pursuant to Local Rule IA 11-8, “[t]he Court may, after notice and opportunity to be heard, impose
5 any and all appropriate sanctions on an attorney or party who, without just cause: (a) Fails to appear when
6 required for pretrial conference, argument on motion, or trial; (b) Fails to prepare for a presentation to the
7 Court; (c) Fails to comply with these Rules; or, (d) Fails to comply with any order of this Court.”

8 The court has not received a confidential statement from Plaintiff. Here, Plaintiff failed to comply
9 with the court's order (ECF NO. 34).

10 Accordingly,

11 IT IS HEREBY ORDERED that the settlement conference scheduled for 10:00 AM, October 17,
12 2022, is VACATED.

13 IT IS HEREBY ORDERED that **an in-person show cause hearing is scheduled for 1:00 PM,**
14 **November 1, 2022, in Courtroom 3D, at the Lloyd D. George Federal Courthouse, 333 Las Vegas**
15 **Blvd. South, Las Vegas, Nevada 89101.**

16 IT IS FURTHER ORDERED that Plaintiff Brit Augborne, III, must appear in-person for the show
17 cause hearing, scheduled for 1:00 PM, November 1, 2022.

18 IT IS FURTHER ORDERED that on or before October 26, 2022, Plaintiff must file with the court
19 a response showing cause as to why sanctioned should not imposed for failing to comply with the Court's
20 Order (ECF No. 34). Should Plaintiff fail to file a response as ordered and/or fail to appear at the November
21 1, 2022 hearing, the undersigned Magistrate Judge may impose sanctions.

22 The Clerk of Court is directed to mail a copy of this order to Plaintiff at the following addresses:

23
24 Brit Augborne, III
120 East Monterey Ave., #431
25 Pomona, CA 91767

1 Brit F. Augborne, III
2 2920 W. 141 Place, Apt. 2
3 Gardena, CA 90249

4 DATED this 13th day of October 2022.



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6 CAM FERENBACH
7 UNITED STATES MAGISTRATE JUDGE
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